

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**STORM DAMAGE CONSULTANTS,
LLC,**

Plaintiff,

v.

**OHIO SECURITY INSURANCE
COMPANY,**

Defendant.

:
:
:
:
:
:
:
:
:
:
:
:

Case No. 5:24-CV-1375

Judge

DEFENDANT'S NOTICE OF REMOVAL

Now comes Ohio Security Insurance Company ("Ohio Security"), by and through counsel, and for its Notice of Removal of this action from the Common Pleas Court of Stark County, Ohio to the United States District Court, Northern District of Ohio, Eastern Division, states:

1. Plaintiff Storm Damage Consultants, LLC filed suit in the Common Pleas Court of Stark County, Ohio in Case No. 2024CV01278 on or about July 3, 2024. Plaintiff's Complaint alleges causes of action against Ohio Security for breach of contract and bad faith.

2. As alleged in Plaintiff's Complaint, Plaintiff Storm Damage Consultants, LLC is an Ohio limited liability company.

3. Upon information and belief, Plaintiff Storm Damage Consultants, LLC's member(s), Mike Hayden, is a citizen and resident of Ohio.

4. Ohio Security was served with Plaintiff's Complaint not more than 30 days ago.

5. This Court has original jurisdiction over this type of action pursuant to 28 U.S.C. §1332(a)(1), and Ohio Security may therefore remove this action to this Court pursuant to 28 U.S.C. §1441(a), for:

- (a) Complete diversity of citizenship exists between Plaintiff, who resides in and is a citizen of Ohio; and Ohio Security, which is incorporated in and maintains a principal place of business in a state other than Ohio; and
- (b) Ohio Security believes the judgment against it if Plaintiffs were to prevail on the merits of the case as presented in the Complaint could exceed \$75,000, exclusive of costs and interest, given that Plaintiff demands compensatory damages, punitive damages, and attorney's fees.

6. As required by 28 U.S.C. §1446(b), Ohio Security is filing this Notice of Removal within thirty days of Ohio Security being served with Plaintiff's Complaint.

7. This action has been pending less than a year.

8. As required by 28 U.S.C. §1446(a), Ohio Security is attaching hereto a copy of each process, pleading and order it has received as Exhibit 1.

9. No party other than Ohio Security is named in the Complaint, so no other party needs to consent to the removal of this action.

Respectfully submitted,

/s/ Caitlin E. Vetter

William M. Harter (0072874)

Caitlin E. Vetter (0090665)

Frost Brown Todd LLP

10 West Broad Street, Suite 2300

Columbus, OH 43215

614-464-1211 / 614-464-1737 (Fax)

wharter@fbtlaw.com / cvetter@fbtlaw.com

*Attorneys for Defendant Ohio Security
Insurance Company*

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing has been served on all parties via their counsel of record through the Court's ECF system this 12th day of August, 2024. For any counsel not registered to receive filings electronically, a copy of the foregoing will be sent via regular U.S. Mail, postage pre-paid.

/s/ Caitlin E. Vetter
Caitlin E. Vetter (0090665)

0000T69.0791481 4871-1112-9558v2